

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STEPHEN T. SIMCIC,	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 13-0802
	)	United States District Judge
	)	Nora Barry Fischer
	)	United States Magistrate Judge
THE PITTSBURGH WATER AND SEWER	)	Cynthia Reed Eddy
AUTHORITY, DANIEL DEASY,	)	
SCOTT KUNKA, and PATRICK DOWD,	)	
Defendants.	)	

**MEMORANDUM ORDER**

Plaintiff filed his complaint on June 13, 2013 (ECF No. 1), and the case was assigned to United States Magistrate Judge Cynthia Reed Eddy in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Rule of Civil Procedure 72.G. The Magistrate Judge's Report and Recommendation (ECF No. 10), filed on October 23, 2013, recommended that Defendants' Motion to Dismiss Plaintiff's Complaint (ECF No. 5) pursuant to Fed.R.Civ.P. 12(b)(6), for failure to state a claim, be granted and the complaint be dismissed with prejudice.

The parties were informed that, under the Magistrate Judges Act, they had until November 12, 2013 to file written objections to the Report and Recommendation. 28 U.S.C. § 636(b)(1). Plaintiff timely filed his Objections to Report and Recommendation (ECF No. 12) on November 12, 2013.

After independent review of the pleadings, briefs and documents contained in the record, together with the Report and Recommendation and Plaintiff's Objections thereto, the Court adopts and incorporates the Report and Recommendation as the Opinion of the Court and accepts the Magistrate Judge's recommendations. Accordingly,

AND NOW, this 15th day of November, 2013,

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss Plaintiff's Complaint (ECF No. 5) pursuant to Fed.R.Civ.P. 12(b)(6), for failure to state a claim, is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Complaint is dismissed with prejudice.

The Clerk of Court shall mark this case closed.

s/Nora Barry Fischer  
Nora Barry Fischer  
United States District Judge

cc: all counsel of record